

## *The NC State Board of Elections*

# 2006 Nonpartisan Judicial Voter Guide

## A Guide to Voting and Judicial Elections

### GENERAL ELECTION EDITION

Pages 3-6	Candidates for the N. C. Supreme Court
Pages 7-8	Candidates for the N. C. Court of Appeals
Page 9	Information about Judicial Elections and the Public Campaign Fund
Pages 10-15	Information about Voting and New Voting Machines

### KEY ELECTION DATES

**Friday, October 13**

Voter registration forms must be postmarked or delivered in person by 5:00 p.m. for November 7 General Election

Last day to change party affiliation before November 7 General Election

**Wednesday, October 18**

Deadline for submitting originals of faxed voter registration forms in order to vote in November 7 General Election

**Thursday, October 19**

One-Stop absentee voting begins for General Election

**Tuesday, October 31**

Last day to request absentee ballots in writing (exception due to sickness or disability)

**Saturday, November 4**

One-Stop absentee voting ends

**Monday, November 6**

Mailed absentee ballots must be received in BOE office by 5:00 p.m.  
Deadline to request absentee ballots for sickness/disability is 5:00 p.m.

**Tuesday, November 7**

General Election Day

This Voter Guide is prepared and distributed by the State Board of Elections. It is largely paid for by funds from the \$3 check-off on the state income tax form for the N. C. Public Campaign Fund and by other donations. Four million copies of this publication were printed at the cost of \$236,000.00 or \$0.059 per copy.

## WHAT IS THE JUDICIAL VOTER GUIDE?

This Voter Guide is intended to give you vital information about voting in North Carolina and about the candidates seeking election to the state's two highest courts. (If you are not a registered voter, go to page 11 to learn more.)

The judges on the N.C. Court of Appeals and the justices of the N.C. Supreme Court are elected in statewide elections. These are called appellate courts because they only hear appeals and do not conduct trials. Appellate judges decide cases that affect your life in many ways. Their duty is to evaluate each case, based on the facts and the law as it exists, in light of the provisions of our constitution.

Judges are elected in nonpartisan elections. That means the candidates are not nominated by political parties and are not listed on the ballot with a party label or affiliation.

The candidate in the General Election who receives the most votes is the winner and serves an eight-year term. All the judicial candidates must be authorized to practice law in North Carolina.

These offices appear on the ballot following all the partisan races for federal, state, and local office. If you only vote by choosing a "straight party," you will NOT be casting a vote in judicial elections. You must mark these offices separately.

For 2006, judicial races will appear on the ballot in the following order:

### 2006 BALLOT FOR JUDICIAL ELECTIONS

#### N.C. SUPREME COURT

Chief Justice

Rusty Duke  
Sarah Parker

#### N.C. SUPREME COURT

Associate Justice

Rachel Lea Hunter  
Mark D. Martin

#### N.C. SUPREME COURT

Associate Justice

Patricia Timmons-Goodson  
Eric Levinson

#### N.C. SUPREME COURT

Associate Justice

Anne Marie Calabria  
Robin Hudson

#### N.C. COURT OF APPEALS

Kris Bailey  
Robert C. "Bob" Hunter

#### N.C. COURT OF APPEALS

Linda Stephens  
Donna Stroud

#### SUPERIOR COURT CANDIDATES VARY BY DISTRICT

#### DISTRICT COURT CANDIDATES VARY BY DISTRICT

***Statements by candidates do not express or reflect the opinions of the State Board of Elections. Candidates personal statements appear on pages 3-8.***

### NC STATE BOARD OF ELECTIONS

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(866) 522-4723 or (919) 733-7173  
[www.sboe.state.nc.us](http://www.sboe.state.nc.us)

## N. C. SUPREME COURT - CHIEF JUSTICE

### RUSTY DUKE

**Place of residence:**  
Greenville, NC

**Education:** Wake Forest University School of Law, J.D., 1974; Wake Forest University, B.A., 1970; Atlantic Christian College, 1966 – 1968

**Occupation:** Senior Resident Superior Court Judge, Judicial District 3A

**Employer:** State of North Carolina

**Date admitted to the Bar:** 1974

**Legal/Judicial Experience:**  
Superior Court Judge, 1991 – Present  
District Court Judge, 1988 – 1990  
Practicing Attorney, 1976 – 1988  
Law Clerk, U.S. District Court Judge, 1974 – 1976

#### PERSONAL STATEMENT (by candidate):

I am a Conservative, endorsed by Senators Elizabeth Dole and Richard Burr. I believe in the Rule of Law. Judges should make rulings that uphold our Constitution and not try to make law from the bench.

As a Judge on the State's highest trial court for over 15 years, I have earned a reputation as a tough, hard-working, no-nonsense judge, working with juries, victims, law enforcement and court personnel.

I have tried over 1,000 jury cases in almost one-half of our state's 100 counties. This experience has shown me the need of our court system to protect families and serve our citizens better.

I want to reform our court system by expanding technology and creating efficiencies to administer justice without favor, denial or delay.

I pledge to administer a unified judicial system in an open and efficient manner with diligence and integrity.

Vote for me on November 7<sup>th</sup>.

[www.rustyduke.com](http://www.rustyduke.com)



### SARAH PARKER

**Place of residence:**  
Charlotte, North Carolina

**Education:** UNC-CH Law School, J.D., 1969; UNC-CH Undergraduate, B.A., 1964; Meredith College, 1960-1962

**Occupation:** Chief Justice, Supreme Court of North Carolina

**Employer:** State of North Carolina

**Date admitted to the Bar:** August 1969

**Legal/Judicial Experience:**  
Supreme Court Chief Justice, February 1, 2006 to the present  
Supreme Court Justice, January 1993 to January 31, 2006  
Court of Appeals Judge, 1985-1992  
Practicing Attorney, 1969-1984

#### PERSONAL STATEMENT (by candidate):

As Article I, Section 18, of the North Carolina Constitution recognizes, the fair and impartial administration of justice is essential to the well-being of our State.

My record as an appellate judge for almost twenty-two years reflects a hard-working, fair-minded, capable judge who has been a good steward of the public trust. As the senior member of our state's highest court, my experience is, I believe, a valuable asset to the Court, which has undergone frequent turnover in recent years. I enjoy the work and consider service as Chief Justice of your Supreme Court to be a high honor. If privileged to be elected, I pledge to continue to administer the law fairly and impartially to all who come before the Court and to perform the duties of the office with diligence and integrity.

I need and will appreciate your vote on November 7.



## N. C. SUPREME COURT - ASSOCIATE JUSTICE

### RACHEL LEA HUNTER

**Place of residence:**  
Cary, NC

**Education:** J.D., 1988, University of Pittsburgh School of Law; B.S., 1983 Chemistry & Bio-chemistry Option, Carnegie Mellon University

**Occupation:** Attorney

**Employer:** Browne, Flebotte, Wilson & Webb, PLLC

**Date admitted to the Bar:** 1988, Pennsylvania; 2002, North Carolina; 2002, Georgia

**Legal/Judicial Experience:**

2001 – present; engaged in private practice and handle appeals in civil and criminal matters  
1990-2000 – worked for the Superior Court of Pennsylvania, an intermediate appeals court, drafted opinions in civil and criminal appeals  
1988-1990 – worked for the Somerset County Court of Common Pleas – drafted opinions in civil and criminal matters

**PERSONAL STATEMENT (by candidate):**

1. I am concerned about erosion of our constitutional rights.
2. I have the research and writing abilities. I have drafted over five hundred appellate opinions.
3. I would like to modernize our law without being a judicial activist. I would respect *stare decisis*, but would reverse if the reasoning is erroneous/outmoded. I would seek to publish more decisions.
4. I want to revise the appellate rules that are unclear so that we can give guidance.
5. I will work to ensure that the legislature adequately funds our courts and remove politics/political parties' involvement.
6. I would recommend the imposition of sanctions against prosecutors that are engaged in misconduct.
7. There is one brand of justice for the rich and powerful and another if you are poor. We need to restore justice to all people so that they can have confidence in our courts.



### MARK D. MARTIN

**Place of residence:**  
Raleigh, North Carolina

**Education:** LL.M., University of Virginia School of Law; Graduate, National Judicial College General Jurisdiction Course; J.D. with Honors, University of North Carolina School of Law; B.S., Summa Cum Laude, Western Carolina University

**Occupation:** Senior Associate Justice, Supreme Court of North Carolina

**Employer:** State of North Carolina

**Date admitted to the Bar:** 1988

**Legal/Judicial Experience:**

Associate Justice, N.C. Supreme Court, 1999-Present  
Judge, N.C. Court of Appeals, 1994-1999  
Resident Superior Court Judge, Judicial District 3A, 1992-1994  
Adjunct Faculty, University of North Carolina School of Law, 2000-Present  
Adjunct Faculty, North Carolina Central University School of Law, 2000-Present  
Senior Lecturing Fellow, Duke University School of Law, 2006  
Legal Counsel to the Governor of North Carolina, 1991-1992  
Associate, McNair Law Firm, 1990-1991  
Law Clerk, United States District Judge, 1988-1990

**PERSONAL STATEMENT (by candidate):**

As Senior Associate Justice of the Supreme Court of North Carolina, I consistently strive to uphold the Constitution, to decide cases fairly and impartially, and to preserve and protect our individual freedoms.

Now in my 14th year of judicial service, I am the only member of the North Carolina judiciary with experience on our Supreme Court, Court of Appeals, and Superior Court.

I am honored that all five living former Chief Justices of our Supreme Court (3 Democrats and 2 Republicans) have endorsed my re-election candidacy. They stated: "Justice Martin is a . . . critical force in preserving the judicial integrity of our legal system." If re-elected, I will continue to serve you with the experience, fairness, and integrity you expect and deserve. I ask for and appreciate your vote on November 7.

Please visit the campaign website at [www.justicemarkmartin.org](http://www.justicemarkmartin.org) for more information.



## N. C. SUPREME COURT - ASSOCIATE JUSTICE

### PATRICIA TIMMONS-GOODSON

**Place of residence:**  
Fayetteville, NC

**Education:** Pine Forest High School, Fayetteville, NC; B.A., UNC-Chapel Hill; J.D., UNC School of Law; Graduate, National Judicial College



**Occupation:** Associate Justice, Supreme Court of North Carolina

**Employer:** State of North Carolina

**Date admitted to the Bar:** 1981

**Legal/Judicial Experience:**

Associate Justice, Supreme Court of N.C., Feb 2006 - present  
Associate Judge, N.C. Court of Appeals, Feb 1997 - Oct 2005  
District Court Judge, Sept 1984 - Feb 1997  
Staff Attorney, Legal Service, Aug 1983 - Aug 1984  
Assistant DA, 12<sup>th</sup> Judicial District, April 1981 - Aug 1983  
District Manager, 1980 Census, Sept 1979 - Oct 1980

**PERSONAL STATEMENT (by candidate):**

My judicial experience qualifies me to continue to serve as a Justice of the Supreme Court of North Carolina. I have 21 years of experience on the bench, more than any other candidate for Associate Justice. I was a prosecutor, a district court judge for 12 1/2 years and served for 8 1/2 years on the North Carolina Court of Appeals.

I bring no hidden agenda to the bench, just a commitment to use my experience, knowledge of the law and common sense to every case that comes before me. I represent the values of North Carolina. Prayer, hard work and a supportive family have led to my professional successes. My husband of 21 years and I have two sons.

I ask for your vote to keep me on the Supreme Court. If elected, I will continue to do my best to render fair and impartial decisions.

[www.timmons-goodson.com](http://www.timmons-goodson.com)

### ERIC LEVINSON

**Place of residence:**  
Charlotte, NC

**Education:** Law Degree, J.D., UNC-Chapel Hill School of Law; Finance Degree, BBA, *cum laude*, University of Georgia; Government and Economics Studies, Georgetown University; International Finance Studies, University of London, England; Judicial Studies programs, National Judicial College and the National Council of Juvenile and Family Court Judges; Certified Juvenile Court Judge, UNC-Chapel Hill Institute of Government



**Occupation:** Associate Judge, NC Court of Appeals

**Employer:** State of North Carolina

**Date admitted to Bar:** 1992

**Legal/Judicial Experience:**

Judge, NC Court of Appeals 2002-present, resolving all types of criminal, civil, family, workers compensation and juvenile cases.  
Judge, NC District Court 1996-2002, presiding in criminal, civil, family, and juvenile court.  
Certified NC Mediator, 2003-present, mediating complicated civil disputes.  
Family Court Mediator, 2000-2002, mediating custody and child support disputes.  
Assistant District Attorney, 1992-1996, prosecuting murder, rape, robbery, drug and other serious felonies as NC Assistant District Attorney in Cabarrus and Rowan Counties.  
Adjunct Professor, 1996-present, teaching Ethics, Constitutional law, and Criminal and Civil law at NC colleges and universities, including UNC-Chapel Hill.

**PERSONAL STATEMENT (by candidate):**

I am a N.C. native who values hard work and respect for the rule of law. I am an experienced judge who has prosecuted or presided over every type of major dispute - serious criminal and class action cases to challenges concerning constitutional rights. I am the only candidate who has presided in a N.C. Family Court - an experience sorely needed on the Supreme Court.

Judges must punish the guilty; protect individual rights; reflect the values of our citizens; make responsible decisions that enhance public safety; leave public policy decisions to the legislature; and dismiss lawsuits that lack merit. The public rightfully expects our justice system to do a better job.

Endorsed by U.S. Senators Elizabeth Dole and Richard Burr; 65 N. C. County Sheriffs, including Sid Causey of New Hanover and B.J. Barnes of Guilford; Forsyth District Attorney Tom Keith; Mecklenburg Chief Public Defender Isabel Day; and many others.

Visit: [www.justicelevinson.org](http://www.justicelevinson.org)

## N. C. SUPREME COURT - ASSOCIATE JUSTICE

### ANN MARIE CALABRIA

**Place of residence:**  
Morrisville, NC

**Education:** Campbell University, Norman Adrian Wiggins School of Law, J.D., 1983; Fairleigh Dickinson University, Summa Cum Laude, B.A. in History, 1977

**Occupation:** North Carolina Court of Appeals Judge and Mediator (January 2003-present)

**Employer:** State of North Carolina

**Date admitted to the Bar:** September 1988

#### **Legal/Judicial Experience:**

North Carolina Court of Appeals Judge, January 2003-present; District Court Judge, 10th Judicial District (Wake County), State of North Carolina, 1996-2002; Sole Practitioner, Cary, North Carolina, 1991-1996; Associate, Hutchens & Waple, Attorneys at Law, Fayetteville, North Carolina, 1990-1991; United States Department of Housing and Urban Development, 1989-1990; Sole Practitioner, Fayetteville, North Carolina, 1988-1989; University of Maryland, Overseas Division, Heidelberg Germany, 1986-1987

#### **PERSONAL STATEMENT (by candidate):**

I am a candidate for the NC Supreme Court because the people of NC deserve the most experienced judge. For almost ten years, I have presided as a Trial Court Judge, a Juvenile Court Judge and an Appellate Judge. As a trial judge, I presided over 50,000 civil, criminal and juvenile cases. On the Court of Appeals, I have authored almost 500 opinions. I have consistently upheld our Constitution, faithfully interpreted the laws and refrained from legislating from the bench. I believe the US and NC Constitutions establish federal and state governments of limited powers. I believe the Founders intended these documents to guarantee freedom, property rights, and individual rights. I believe in judicial restraint, not judicial activism because the Constitution sets forth authorities, responsibilities, and limits on each branch of government. Judges should not legislate from the bench or substitute their own judgment for that of the other branches.



### ROBIN HUDSON

**Place of residence:**  
Raleigh, NC

**Education:** UNC Chapel Hill School of Law, J.D., 1976; Yale University, B.A., 1973 (graduated with the first class to have women all 4 years)

**Occupation:** Judge, North Carolina Court of Appeals (COA); Coordinator and Mediator NC COA Mediation Program

**Employer:** State of North Carolina

**Date admitted to the Bar:** 1976

#### **Legal/Judicial Experience:**

Judge, NC COA, 2001-present, the first woman elected without having been appointed first; set up COA Mediation Program 2002-present; Outstanding Appellate Judge Award 2004, NCATL. Certified Mediator since 1994 - Superior Court, Industrial Commission, and COA. Occupational Safety & Health Review Board, 1993-2000 (part-time). Chair and Member of 3-person Appeals Board for OSHA cases 1994-2000; Administrative Law judge, 1993-1994. Private Practice of Law, 1977-84, 1987-2000. Admitted to practice in all NC state and federal Courts; US COA for the Fourth Circuit; and US Supreme Court. Handled trials and appeals including civil, criminal, family, workers' compensation, property, and more. Founding member NC Association of Women Attorneys 1978 to present. Vice President of NC Bar Association 2005-06; many NCBA committees since 1977. Family Court Advisory Committee since 2001. Rotary Club. Assistant Appellate Defender (State of NC), 1984-87. Handled criminal appeals. Legal Services, Staff Attorney 1976-77.

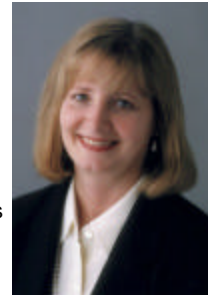
#### **PERSONAL STATEMENT (by candidate):**

During my career, I have handled virtually every kind of case the NC Supreme Court decides. My clients came from all walks of life and from across the state, giving me a unique perspective on our state's people and legal issues. I litigated hundreds of cases in the Court of Appeals and Supreme Court. As a judge, I have made thousands of decisions – and my only agenda is to uphold the law and be fair.

Former Chief Justices Mitchell, Exum, and Frye, say this about me: "...one of the best qualified candidates ever to run for the NC Supreme Court. She is a sound legal scholar who is fair and impartial...She believes judges should apply the law, not promote their own agendas."

I have been endorsed by newspapers, teachers, lawyers, working people and women's groups and finished first in the Primary. I would appreciate your vote on November 7.

[www.RobinHudson.org](http://www.RobinHudson.org)





## N. C. COURT OF APPEALS

### KRIS BAILEY

**Place of residence:**  
Cary, Wake County, N.C.

**Education:** University of Georgia-Law, J.D., 1995; Winthrop University, Masters, Personnel & Industrial Relations, 1981; Freed-Hardeman College, B.S., Business, 1978

**Occupation:** General Counsel to State Auditor Leslie Merritt

**Employer:** N.C. Office of the State Auditor

**Date admitted to the Bar:** 1995

**Legal/Judicial Experience:**  
District Court Judge, 2000-2004, 10<sup>th</sup> Judicial District  
U.S. Supreme Court Bar  
N.C. State Bar  
N.C. Association of District Court Judges  
National Council of Juvenile & Family Court Judges

#### PERSONAL STATEMENT (by candidate):

##### INTEGRITY

Out of respect for public trust, Kris Bailey refuses campaign money from lawyers. Kris is the only choice in this race who refuses money from lawyers. Kris Bailey is not for sale. NO LAWYER MONEY. A CLEAR CHOICE for NORTH CAROLINA.

##### EXPERIENCE

Kris Bailey ruled in over 40,000 cases, and is the only choice in this race with trial court experience as judge. TOUGH ON CRIME. HIGHLY RESPECTED.

*"As General Counsel, Kris Bailey is key in exposing fraud in NC. Kris has a tireless work ethic, calm positive demeanor and excellent record as judge. His strong ethical stand is consistent with his character."*  
State Auditor Leslie Merritt.

##### COMMON SENSE

Judges should show a measure of humility and refrain from personal whims in decisions. Under the law, our courts should protect marriage, family, prayer, property and our Constitution, not destroy them.

Endorsed by: SENATOR ELIZABETH DOLE  
SENATOR RICHARD BURR

[www.judgekrisbailey.com](http://www.judgekrisbailey.com)



### ROBERT C. "BOB" HUNTER

**Place of residence:**  
Marion (McDowell County), North Carolina

**Education:** McDowell County Public Schools; University of North Carolina, Chapel Hill – B.A., Political Science; University of North Carolina School of Law – J.D.; National Judicial College – Appellate Judge Course

**Occupation:**  
Judge, North Carolina Court of Appeals

**Employer:** State of North Carolina

**Date admitted to the Bar:** 1969

**Legal/Judicial Experience:**  
North Carolina Court of Appeals Judge – 8 years  
Hunter & Evans, P.A. (Senior Attorney) – 29 years  
Attorney representing McDowell County – 24 years  
Former Assistant District Attorney  
Former President, 29th District Bar Association  
Former Chair, North Carolina Courts Commission  
North Carolina House of Representatives – 18 years

#### PERSONAL STATEMENT (by candidate):

Judge Bob Hunter's thirty-seven year career has distinguished him as a highly respected and fair judge. He has served on the NC Court of Appeals since 1998, and is North Carolina's only appellate judge who resides west of the line from Greensboro to Charlotte. Judge Hunter has decided over 2,400 appellate cases and authored over 800 well-reasoned opinions. Known for his common sense approach and for being supported by citizens of all backgrounds and all political affiliations, Judge Hunter is highly qualified for re-election.

As a former attorney, NC Representative, and current Judge, Bob Hunter has worked long and hard to protect and help North Carolinians.

Judge Hunter and his wife of thirty-five years, Nancy, have two daughters. He is a member and former trustee of his church in Marion.

Endorsed by:  
Charlotte Observer  
Greenville Daily reflector  
NC Association of Women Attorneys  
NC Association of Educators

More Endorsements at:  
[www.JudgeBobHunter.com](http://www.JudgeBobHunter.com)



## N. C. COURT OF APPEALS

### LINDA STEPHENS

**Place of residence:**  
Raleigh, North Carolina

**Education:** University of North Carolina-Chapel Hill School of Law, J.D., 1979; University of South Carolina, B.A., 1973, Carolina Scholar (awarded based on academic achievement), Algeron Sydney Sullivan Award, 1973, Phi Beta Kappa, Woman of the Year Award, 1972

**Occupation:**  
Judge, North Carolina Court of Appeals

**Employer:** State of North Carolina

**Date admitted to the Bar:** 1979

**Legal/Judicial Experience:**  
Judge, NC Court of Appeals, 2006-present.  
Partner and Senior Partner with Teague, Campbell, Dennis & Gorham, LLP, 1989 to 2005. First woman partner with the firm.  
Associate with Teague, Campbell, Dennis & Gorham, LLP, 1984 to 1989. First woman associate with the firm.  
Chair, NC State Bar Workers' Compensation Specialization Committee 2003-2005  
Frequent presenter on workers' compensation issues  
Significant trial and appellate practice  
Deputy Commissioner, North Carolina Industrial Commission, 1980-1984  
Decided workers' compensation matters in a judicial capacity  
Law Clerk, NC Court of Appeals, 1979-1980

#### **PERSONAL STATEMENT (by candidate):**

As a Court of Appeals judge, my judicial philosophy is simple: Work hard. Judge fairly. Listen impartially. Treat all parties with respect. Seek to ensure justice, one case at a time.

During my 27 years as a lawyer and judge, my work ethic and commitment to fairness have earned the respect of my community and my colleagues. While practicing law, I was named one of the top fifty women lawyers in North Carolina by *NC Super-Lawyer Magazine*, was listed in "Best Lawyers in America" and was the first woman elected as President of the NC Association of Defense Attorneys. I have been endorsed by: organizations of teachers, firefighters, paramedics, and workers; the NC Association of Women Attorneys and two lawyer organizations that represent opposite sides in civil disputes; every newspaper making endorsements to date (*Charlotte Observer*, *Winston-Salem Journal*, *Independent*, *Wilmington Star*, *Greenville Daily Record*).

For complete information, please visit:  
[www.judgelinda.com](http://www.judgelinda.com)



### DONNA STROUD

**Place of residence:**  
Zebulon, North Carolina  
(Wake County)

**Education:** Campbell University School of Law, J.D., *magna cum laude*, 1988; Campbell University, B.A., *summa cum laude*, Government, 1985

**Occupation:**  
District Court Judge, 10<sup>th</sup> Judicial District

**Employer:** State of North Carolina

**Date admitted to the Bar:** 1988

**Legal/Judicial Experience:**  
District Court Judge, 10th Judicial District, 2004-present  
Attorney in private practice with Gay, Stroud & Jackson, LLP, 1995-2004  
Attorney in private practice with Kirk, Gay, Kirk, Gwynn & Howell, 1988-1995  
Certified Superior Court Mediator since 1997  
Arbitrator, Wake County District Court, 1996-2004

#### **PERSONAL STATEMENT (by candidate):**

- Only candidate with trial court judicial experience
- Proven abilities, fairness, and work ethic as a Judge
- Ranked first in class all three years of law school and upon graduation
- Church and community leader with many years of commitment to public service

Endorsed by Senator Elizabeth Dole, Senator Richard Burr, and former Chief Justice of the NC Supreme Court, I. Beverly Lake, Jr.

Broad trial court experience is essential for a Court of Appeals Judge, and I have 18 years of professional legal experience as a judge, mediator, arbitrator, and attorney in private practice. I have presided over thousands of civil, criminal, and family law cases in District Court. The role of judge is to interpret and apply the law and not to seek to make law. It is the job of the legislature, not the courts, to make new law. For more information, see

[www.judgestroud.com](http://www.judgestroud.com)





## A PROGRAM FOR APPELATE JUDGE CANDIDATES

Candidates for the N.C. Court of Appeals and N.C. Supreme Court have a new option for how to finance their campaigns. The General Assembly has recognized that fundraising in judicial elections is a special problem. In 2002, it passed the Judicial Campaign Reform Act, with this stated purpose: "to ensure the fairness of democratic elections in North Carolina and to protect the constitutional rights of voters and candidates from the detrimental effects of increasingly large amounts of money being raised and spent to influence the outcome of elections . . .".

### WHAT DOES THE LAW DO?

The law provides an alternative way for qualified candidates for the state's appellate courts to pay for the costs of their campaigns. Candidates may receive funds from the N.C. Public Campaign Fund if they voluntarily:

- demonstrate public support, by raising a set number of relatively small donations from registered voters,
- accept strict fundraising limits, and
- accept strict spending limits.

If they qualify, candidates stop regular fundraising activities for the general election and use only money provided to them from the Fund. The decision to enroll in this program is purely optional. Only candidates for the N.C. Court of Appeals and the Supreme Court are eligible. Candidates can also receive a limited amount of "rescue funds" if a nonparticipating candidate or group makes expenditures that exceed the agreed-upon spending limit. For more details, contact the State Board of Elections.

### WHAT ARE THE APPELLATE COURTS?

Appellate courts hear appeals regarding the decisions made in another court. The N.C. Supreme Court is the state's highest court. It hears appeals of cases from the Court of Appeals and of cases in which

the death penalty has been imposed. There is no further appeal in North Carolina of its decisions, but in limited instances involving federal law, the U.S. Supreme Court may consider appeals from the North Carolina court. Like the Court of Appeals, the N.C. Supreme Court has no jury. Its chief justice and six associate justices hear all cases together, as one sitting court. They consider errors in legal procedures or in interpretation of the law by a lower court. The N.C. Court of Appeals hears appeals of all kinds of decisions of the state Superior and District Courts (the trial courts), from divorce and family cases to business and tax cases. It also hears appeals from state administrative agencies. There are no juries in the Court of Appeals. The 15 judges sit in rotating panels of three, considering errors in legal procedures or in judicial interpretation of the law. If a vote is 2-1, the losing party has an automatic right to appeal the decision to the N.C. Supreme Court.

### WHAT IS THE \$3 CHECK-OFF?

When you fill out your state income tax form, you can check a box for the N.C. Public Campaign Fund. If you check Yes, \$3 will go to the Fund. (Checking Yes does not change a person's tax bill or refund; it just allocates \$3 of taxes being paid to the Fund.) The "check-off" is the major source of revenue for the Public Campaign Fund and for this Voter Guide. Other sources include:

- a surcharge on attorneys' State Bar dues,
- funds from an old "Candidate's Financing Fund",
- money returned to the Fund from candidates, and donations made to the Fund.

## HOW TO VOTE: Are You a Registered Voter in N.C.?

# YES

If you say YES,  
here's how to vote

### THREE WAYS TO VOTE IN N.C.

#### 1. IN PERSON, ON ELECTION

**DAY** Vote at your assigned polling place. You will be asked to sign the pollbook before you vote. The polls open at 6:30 a.m. and close at 7:30 p.m. If you are in the line by 7:30, you will still be able to vote.

#### 2. IN PERSON, BEFORE ELEC-

**TION DAY** From October 19 to November 4, you can vote at a site in your county where you can request and cast a “one-stop absentee ballot.” Every county has at least one site for one-stop absentee voting; some have sites open beyond normal business hours. You do not need an excuse for voting early. To find out where and when one-stop voting is available, contact your county board of elections.

#### 3. BY MAIL-IN ABSENTEE

**BALLOT** You can request an absentee ballot — no excuse is needed — but the county board of elections must receive the request by 5 p.m. on October 31. It must be a written request from you or a near relative, or on a form provided by your county's board of elections, and must be signed by you or by a near relative (a near relative is a spouse, brother, sister, child, parent, grandparent, grandchild, stepparent, stepchild, or mother-, father-, daughter- or

son-in-law). All absentee requests should be mailed or hand delivered to the appropriate county board of elections office. A voter or qualified near relative may also request an absentee ballot request form by emailing or faxing their county board of elections office. A request for an absentee ballot in the general election should include: Your name, date of birth, residence address, address the absentee ballot should be mailed to, and, if appropriate, the near relative's contact information and relation to you. The absentee ballot will be mailed directly to the voter. The county board of elections must receive it back by 5 p.m. on the day before the election.

#### YOU MAY REGISTER TO VOTE IN NORTH CAROLINA IF YOU:

- are a United States citizen
- are 18 years of age or older or will be by the date of the next general election
- are a resident of North Carolina and the county precinct where you want to vote for at least 30 days before the election
- are not a convicted felon still in custody, on probation, or on parole. If you've served all parts of your sentence, you can register. Contact your local board of elections for more details.

## HOW TO VOTE: Are You a Registered Voter in N.C.?

If you say NO,  
here's how to register

NO

### FOUR WAYS TO REGISTER TO VOTE

#### 1. IN PERSON, AT A COUNTY BOARD OF ELECTIONS OFFICE

You can find the address for your county election office on the State Board of Elections' website, [www.sboe.state.nc.us](http://www.sboe.state.nc.us) or call (toll free) 866-522-4723. The county staff can help you with the registration form and answer your questions.

#### 2. IN PERSON, AT MANY GOVERNMENT OFFICES

You can get a registration form at Driver's License offices, Employment Security Commission offices and most Social Service agencies. The agency will turn in the completed form to the county board of elections. Many libraries and institutions of higher education have forms as well.

#### 3. IN PERSON, DURING A VOTER REGISTRATION DRIVE

Many civic groups and political parties set up tables at stores or run registration drives to register people to vote. They typically turn in the form for you; if not, follow the directions below to mail it in yourself.

**4. BY MAIL** You can fill out and mail in your registration form. You can get a form from your county board of elections, or print it from the State Board of Elections' website at [www.sboe.state.nc.us](http://www.sboe.state.nc.us). See the website for a listing of county board addresses.

#### NEW RULES ABOUT REGISTERING

You must provide your North Carolina driver's license number if you have one. If not, provide the last four digits of your Social Security Number on the registration form. If you do not have either of these, then you may include with the form a copy of identification that shows your name and address. Accepted forms of identification include a copy of:

- a current, valid photo ID or
- one of the following that shows the voter's name and address:
  - current utility bill,*
  - bank statement,*
  - paycheck,*
  - government check,*
  - or other government document.*

If the board of elections cannot verify the information you provide, you may be asked to show identification when you vote for the first time. Just in case you are asked, it is wise to take along a photo ID or one of the documents listed above when you go to vote, especially if you registered through the mail or during a voter registration drive.

**DEADLINE: OCTOBER 13 IS THE LAST DAY TO REGISTER FOR THE GENERAL ELECTION.**

# 1,2,3 **VOTE!**

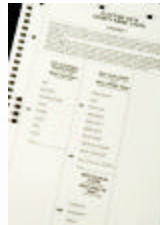
## VOTING WITH THE ES&S MODEL 100

# 1

### Mark Ballot

Using a paper ballot, make your selections for a particular candidate or issue by filling in ovals on the ballot.

- For write-in candidates, fill in the oval next to the words "Write In" and write the candidate's name on the line.



Above: Example of a write-in candidate selection with its oval darkened.

# 2

### Insert Ballot

Insert your ballot into the ballot acceptor. The Model 100 will accept ballots in any orientation (backward, upside down, etc.). To keep a paper ballot from view, a privacy sleeve may be requested from the poll worker.



# 3

### Review Ballot

Check the LCD screen to see whether there are any issues with the ballot such as overvoting. Press "Return" to get the ballot back to make changes, or press "Accept" to submit the ballot.



### **COUNTIES USING ES&S MODEL 100 FOR ELECTION DAY VOTING**

Alexander, Anson, Ashe, Avery, Beaufort, Bertie, Bladen, Buncombe, Cabarrus, Caldwell, Camden, Carteret, Catawba, Chatham, Chowan, Clay, Cleveland, Columbus, Craven, Cumberland, Currituck, Dare, Duplin, Durham, Edgecombe, Forsyth, Franklin, Gaston, Gates, Graham, Granville, Greene, Halifax, Harnett, Hertford, Hoke, Hyde, Iredell, Johnston, Jones, Lee, Lincoln, Macon, Martin, McDowell, Mitchell, Montgomery, Moore, Nash, New Hanover, Northampton, Onslow, Orange, Pasquotank, Person, Pitt, Randolph, Richmond, Robeson, Rockingham, Rowan, Sampson, Scotland, Stanly, Stokes, Swain, Tyrrell, Union, Vance, Wake, Washington, Watauga, Wayne, Wilkes, Yadkin, Yancey

# 1,2,3 **VOTE!**

## TOUCHSCREEN VOTING WITH THE iVOTRONIC

1

### Activate Ballot

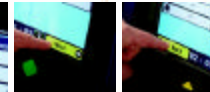
A poll worker will activate your electronic ballot by inserting the Personal Electronic Ballot into the appropriate slot.



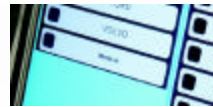
2

### Make Selections

To make your selections, touch the box next to the name. To de-select, touch the box again. The iVotronic will not allow you to vote for more people than may be elected to any one office.



**Write-In Candidates**—To cast a vote for a write-in candidate, touch the "Write-In" option, and a keyboard will appear on the screen. Type in the name of a candidate and press "Accept." Your selection will appear on the screen.



### Real-time Audit Log

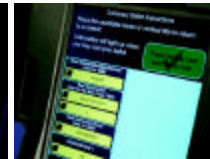
To verify selections in writing, watch the voter verifiable paper audit trail, or Real-Time Audit Log, on the left-hand side of the voting booth.



3

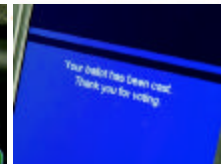
### Review Ballot

After completing the last ballot page, touch "Review" and carefully review the selection review screen. To change or make a new choice, touch the box next to the candidate's name or issue, and then touch the box of your new selection.



**VOTE!**

When finished, press the flashing red "Vote" button to cast your ballot. The "Thank You For Voting" screen means you have properly cast your ballot.



### COUNTIES USING iVotronic FOR ELECTION DAY VOTING EQUIPMENT

Alamance, Alleghany, Brunswick, Burke, Caswell, Cherokee, Davidson, Davie, Guilford, Haywood, Henderson, Jackson, Lenoir, Madison, Mecklenburg, Pamlico, Pender, Perquimans, Polk, Rutherford, Surry, Transylvania, Warren, Wilson



## FAIL-SAFE VOTING: THE PROVISIONAL BALLOT

If you think you are a registered voter and go to vote, but your name does not appear on the county's official list of registered voters, you are entitled to cast a provisional ballot. You may also vote using a provisional ballot if you are asked for identification at the polls but do not have a photo ID or other document with you. Remember to:

- Fill out the statement on the envelope that comes with the provisional ballot.
- Once you vote your ballot, place it in the provisional ballot envelope and return the sealed envelope to the election official.
- Check to see if your provisional ballot was counted and if not, the reason it was not counted. The county board of elections will determine your eligibility to vote through research into records and will count all the ballot items for which you are eligible to vote.
- If you voted a provisional ballot because you did not have valid ID at the polls, you have until Canvass Day, November 17, 2006 at 11:00 a.m. to provide acceptable ID to the county board of elections office.

## WHAT ARE YOUR RIGHTS AND RESPONSIBILITIES AS A REGISTERED VOTER IN NORTH CAROLINA?

### RIGHTS

If you properly register, you have the right to vote:

- Without being intimidated, coerced or threatened by any person.
- In an accessible polling place.
- By provisional ballot if your name does not appear on the official list of registered voters of the precinct.
- With the assistance that you request, as authorized by N.C. law.
- Without discrimination related to disability, race, ethnicity, or literacy.
- Even if you were convicted of a misdemeanor or, in the case of a felony conviction, if you have served all parts of your sentence.
- By a challenged ballot, if your eligibility to vote is challenged and sustained.
- With assurance that you will be treated with respect and your vote will be counted. If you make a mistake ("spoiled ballot"), you have a right to a replacement ballot.

### RESPONSIBILITIES

As a voter, it is your responsibility to:

- Register to vote no less than 25 days prior to Election Day.
- Notify the county board of elections of any change in your name or address.
- Respect the privacy and voting rights of others.
- Immediately report any problems with equipment, violations of civil rights, or other illegal activities to the proper officials.
- Review the ballot for accuracy before casting.
- Treat all election officials and voters with courtesy and respect.
- Follow the voting procedures set by state and local election boards.

**Polls open at 6:30 a.m. and close at 7:30 p.m.  
If you are in line at 7:30 p.m., you will get to vote.**